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PRICE FIVE CENTS.

DEATH OF WM. GOEBEL

Died at 6:45 o'clock Last Night, While a Brother and Sister Kneelt at Bedside.

Began to Sink Yesterday Morning, and Passed Away a Short Time Before Justus Goebel, Another Brother, Arrived from Arizona.

MR. BECKHAM SWORN IN AS GOVERNOR

Oath Administered Without Delay and an Order and a Proclamation Issued.

Republican Militia Officers Dismissed, General Castleman Placed in Charge and All Soldiers Now On Duty Ordered to Disband.

FRANKFORT, Ky., Feb. 3.—The bullet fired by an unknown assassin last Tuesday morning ended the life of Mr. Goebel at 6:45 o'clock this evening. The only persons present at the death bed were Mr. Goebel's sister, Mrs. Braunacker and his brother, Arthur Goebel, of Cincinnati, who have been in constant attendance at Mr. Goebel's bedside, and Doctor McCormack. Justus Goebel, another brother, who has been hurrying from Arizona as fast as steam would carry him, in a vain hope of reaching his dying brother in time for some token of recognition, arrived forty minutes too late. Oxygen was frequently administered to the dying man during the afternoon in an effort to keep him alive, at least until his brother's arrival, but in vain. For, by the cruel irony of fate, the train on which Justus Goebel was traveling to Frankfort was delayed several hours from various causes and when Mr. Goebel finally reached here, it was only to learn that his brother was dead. Among bitter partisans of both parties deep grief is manifested and already a movement has been started to erect a fitting monument for Mr. Goebel's memory on the spot in the Statehouse grounds where he was shot.

No arrangements have as yet been made for the funeral. Plunged in grief and locked in the death chamber of their brother, Arthur and Justus Goebel and Mrs. Braunacker have given out no intimation of their wishes, and probably no definite arrangements will be made until to-morrow. It is understood that a request will be made, on behalf of the citizens of Frankfort, that Mr. Goebel's last resting place be in the cemetery here, where lie buried Daniel Boone and Vice President Richard M. Johnson.

CONDITION YESTERDAY. Mr. Goebel's condition last night and well into the morning was considered so much improved that for the first time since he was shot down hopes were entertained for his ultimate recovery. His hiccoughs and nausea, with both of which he has been troubled more or less from the first, had almost entirely disappeared, while his temperature had been reduced to nearly normal, and his pulse, though high, was apparently stronger. He rested well up to midnight, but after that hour awoke frequently. Still, up to 4 o'clock, to the attending physicians and nurses the condition of the patient seemed to be favorable, and it was hoped the crisis had been passed. About 4 o'clock, however, the time of the night when the vitality is at its lowest ebb, the hiccoughs returned, accompanied by some nausea. This at first was not con-

sidered very serious and the trouble soon yielded to treatment, the patient again dozing until 6 o'clock, when he grew restless. At his request former Representative Hendrick was called and Mr. Goebel asked for some of his legal advisers, with whom he wished to confer. From that time until about 10 o'clock Mr. Goebel rested fairly well, dozing at times, but shortly after 10 o'clock he suddenly grew worse. The hiccoughs and nausea returned with increased violence, much to the wounded man's distress, and his pulse ran up alarmingly. Drs. McCormack and Hume were hastily summoned, and hypodermic injections of whisky and strychnine and afterward of morphine were given him.

At Mr. Goebel's request Chaplain L. G. Wallace, of the Kentucky penitentiary, an intimate friend, was sent for, and when the latter came, the two had a short conversation.

"Lew," said Mr. Goebel, "I wish to announce to the world that I do not hold myself to open violence to the word of God."

The hypodermic injections afforded some temporary relief. But the sufferer, for the first time in his long, weary struggle for life, had apparently lost his indomitable courage.

"Doctor," said he feebly to Dr. McCormack, who stood at the bedside, "I'm afraid now that I'm not going to get over this."

WANTED TO KNOW THE TRUTH. Dr. McCormack endeavored to cheer the fast falling man, but the latter soon relapsed into a condition of semi-consciousness. About 1 o'clock he aroused himself again, and, calling Dr. McCormack to his side, said:

"Doctor, am I going to get well? I want to know the truth, for I have several things to attend to."

"Governor, you have but a few hours to live," replied Dr. McCormack.

Mr. Goebel was silent for a moment. Then, calling his brother, Arthur Goebel, to his side, he asked that the physicians and nurses retire. Then for twenty minutes the dying man was left with his brother and sister, Mrs. Braunacker. Soon after this he again fell into a stupor, and at 2 o'clock his condition was considered so alarming that as a last resort oxygen was given in an endeavor to keep the dying man alive, if possible, until the arrival of his brother, Justus Goebel, who was due shortly after 6 o'clock. The pulse of the patient had in the meantime run up to 140, and his temperature to 103, while his breathing became rapid and more labored.

The oxygen treatment resulted in an improvement, but the rally was so slight and slow that to the weary watchers at the bedside it was apparent the end was not far off, and Rev. Tallaferro, of the Methodist Church, of Frankfort, was sent for. He came at once. Softly entering the death chamber, Dr. Tallaferro crossed over to where Mr. Goebel lay gasping for breath, and, kneeling at the side of the bed, prayed earnestly. With tears streaming down their faces, Mrs. Braunacker and Arthur Goebel knelt at the bedside also. Then Dr. Tallaferro arose and, opening his Bible, read a few selected verses from the Epistle to St. James. As the words of the apostle were read by the divine the dying and apparently unconscious man stirred slightly. Quickly leaning over his brother Arthur Goebel said:

"Will, Dr. Tallaferro is here."

No response came from the dying man, but as Arthur Goebel leaned over him, looking anxiously for some sign of recognition, a look of intelligence came into the half-closed eyes, and it was apparent that Mr. Goebel understood what was said to him.

Shortly after this Dr. Tallaferro left the

room, and descending the stairs, entered the women's reception room, where, at the request of several women, wives of legislators, he held brief services. Then the divine again went to Mr. Goebel's bedside and about five minutes afterward took his departure.

Shortly after 4 o'clock the dying man was again given oxygen and again a slight rally resulted, but it was only temporary. His respiration gradually grew more labored and rose to fifty-three, while his pulse dropped to 120. At 6:10 p. m. Dr. Hume left the dying man's bedside and reported to the throng of anxious people in the corridors of the hotel that death was a matter of but a few moments time. The oxygen treatment was used constantly in a desperate effort to keep Mr. Goebel alive until Justus Goebel's arrival, but no effort was made to arouse the unconscious man.

As Dr. Hume departed from the room the afflicted brother and sister turned to Dr. McCormack and requested that they be left entirely alone with their brother, who was fast sinking, and to both physicians apparently in articulo mortis. The physicians silently withdrew, closed the door softly behind them, the grief-stricken brother and sister. Silently they knelt at his bedside, their eyes fastened upon the half open eye of the unconscious man. He could give no sign of further recognition, and yet he was not absolutely unconscious. Scarcely breathing themselves the brother and sister bent over the death-bed, listening to the short gasps of death and praying that the life might be spared until their brother Justus from Arizona could arrive. Their prayers were in vain. Even as they watched the pulsations became slower and slower, gradually but steadily growing weaker, and with a slight quiver of the eyelids, one breath deeper than the rest, a pause, a gasp and the life that had been battling so valiantly against the assassin's bullet since last Tuesday morning flickered out. Death had claimed its victim and the brother and sister, bowed by sorrow, whose pangs were intensified by the knowledge that a few miles away, hurrying to them, was their brother Justus, who would arrive too late, sat down upon the death bed alone with their dead. Not a sound emanated from the room to apprise the anxious watchers in the hotel corridor without that Mr. Goebel had passed away. The stricken brother and sister were left undisturbed while the two physicians outside the door anxiously looked at their watches as the minutes flew by, fearing the truth, yet wondering at the long silence.

ARRIVAL OF JUSTUS GOEBEL. Finally, at 7:30, the train bearing Justus Goebel pulled into Frankfort. At the station to meet him were Urey Woodson, Samuel J. Shackelford and Mayor Rhinock, of Covington. They met Mr. Goebel at the car steps. "Is he dead? Tell me, is he dead?" were the first words he uttered. "He is not dead," was the assurance given him by the friends, who had no inkling of the truth. The party entered a carriage and five minutes later, at 7:35 o'clock, arrived at the Capital Hotel. With tears streaming from his eyes Mr. Goebel was conducted to the chamber where lay his brother. The rap at the door was answered by Arthur Goebel, who silently drew his brother within and again closed the door. Five minutes later Arthur Goebel again opened the door and motioned to the two physicians. "He died at 6:45 o'clock, painlessly," was all he said and closed the door. There was no excitement in the corridor. Those who heard the words of Arthur Goebel were reverently silent and did not disseminate the intelligence.

Within a few moments the following announcement had been prepared and was silently handed about the hotel and in the streets:

"To the People of Kentucky—It is with the most profound sorrow that we announce the death of Governor William Goebel. In his last moments he counseled his friends to keep cool and bow to the law in all things. We, his friends and advisers, beg of the people of Kentucky in this hour of affliction to carefully abstain from any act of violence or any resort to mob law. It would be his wish if he were alive that there should be absolutely no stain on his memory by any imprudent act of any who were his friends. The law is supreme and must in time be re-established, and all the wrongs he and his party have suffered will find their proper redress."

The announcement was signed by J. C. S. Blackburn, William S. Pryor, Urey Woodson, C. M. Lewis, J. B. McCreary, John K. Hendrick, James Andrew Scott, Lewis McQuown, B. W. Bradburn, S. J. Shackelford, C. C. McChord, South Trimble, speaker of the House, L. H. Carter, speaker pro tem, of the Senate. This was the first intelligence given the public of the death of Mr. Goebel, which had occurred forty-five minutes previous.

NO FORMAL INQUEST. Late this evening it was decided to hold no formal inquest over the remains. This is in compliance with the wishes of the friends and family of the dead Democratic leader. The coroner will accordingly issue a certificate of the cause of death without the formality of an inquest, this being sufficient to comply with the law.

While Mr. Goebel lay dying in the afternoon a fear was generally expressed that after he had expired there would be disorder and rioting in the streets. Mayor Dehoney, in anticipation of such a contingency, ordered all saloons closed. They were kept locked from shortly after noon. Around the Capital Hotel and its corridors there were dense crowds of people anxiously awaiting the news from the bedroom of the dying man. There was not, however, the slightest indication of trouble either

(CONTINUED ON SECOND PAGE.)

ONRIGHT FLANK

BOERS OCCASIONALLY WORRYING PART OF BULLER'S ARMY.

Said to Be Digging Up the Roads Leading to Ladysmith and Firing a Few Shots at the British.

BULLER'S MOVEMENTS SECRET

NOTHING GIVEN OUT AT WAR OFFICE AS TO SITUATION IN NATAL.

Spencer Wilkinson of Opinion that Ladysmith Can Be Relieved Only by Following Sherman's Tactics.

BOER LOSSES AT SPION KOP

THE KILLED REPORTED TO BE DOUBLE THE NUMBER WOUNDED.

Probably Incorrect Statement that 1,100 Were Slain and 900 Fell with Wounds—A Political Ferment.

LONDON, Feb. 4, 4:30 a. m.—

Nothing has been given out by the War Office concerning General Buller's movements, but it is generally believed that he is making another effort to relieve Ladysmith. A dispatch from Spearman's Camp, dated Feb. 2, says: "The Boers fire occasionally at the troops on the right flank. It is reported they have dug up the roads leading to Ladysmith in order to make transport difficult, have made several trenches along the route and are busy strengthening those in front of their position."

The latest from Kimberley, dated Feb. 2, says: "Beyond the Boers' desultory shelling yesterday, the situation is unchanged. Only six wounded are now in the hospitals, the rest having been discharged. Practically every house now has a bomb-proof shelter."

REVIEW OF THE SITUATION.

Spencer Wilkinson Tells What He Thinks Buller Should Do.

LONDON, Feb. 4.—Spencer Wilkinson writes the following review of the situation in Africa for the Associated Press: "It is morally impossible for Buller's army so long as there is any doubt in it, to sit still while Sir George White is invested at Ladysmith. Better than that would be to lose ten thousand men at an attempt at relief. Accordingly it is probable that General Buller will try again, and, indeed, that he is now on the move or fighting. As he has kept General Lyttleton's brigade north of the river, the probability is that his next move will be an advance on Lyttleton's right. He would hardly go to Lyttleton's left, because that would lead to a fresh attack on Spion Kop and the range of which it is a part. He would not go to the east of Colenso except with his whole force, less Buller's brigade. The retention of Lyttleton's brigade at Potgieters drift may, therefore, be taken as proof that the new move will not be to the east of Colenso. East of Potgieters there are several drifts, one or two of which General Buller's guns command, and he can, therefore, cross the river, but the Boers have had ample time to prepare positions beyond the river. A frontal attack would be costly, but unless the general is prepared for a heavy loss he has little chance of breaking through the Boer defenses."

"The right plan would be that adopted by General Sherman when he pushed back Johnston from Chattanooga to Atlanta. Sherman intrenched along Johnston's front and then extended his line to one of the flanks. By the time Sherman was ready to move a force round behind his intrenched line to attack Johnston in the flank and threaten his retreat the Confederate general usually withdrew. Such tactics are practicable only with a force numerically superior. We do not know the strength of the Boers in Natal. Winston Churchill estimates them at 12,000, of whom 7,000 are observing Ladysmith. This would give Buller 25,000 against 12,000 and should render possible something like Sherman's maneuvers. But there is reason to believe that Buller's own estimate of the Boer force is much higher."

"Lord Roberts will certainly not hurry his move from the cape. He will first complete the assembling of his forces, which will not all have arrived at the south of the river. Then he will have transport properly organized and in working order before he will start. After that he will probably make a rapid move, but no outcry will induce him to start until he considers all is ready."

"Last week's report that Mafeking had been relieved seems to have arisen from Colonel Plumer's skirmish near Crocodile pools. The report came from Boer sources and its origin it seems to show that the Boers are not sanguine of success in the northwest. They have probably reduced their forces in that region in order to strengthen themselves against General Methuen and General Buller."

BOER CASUALTIES.

1,100 Reported to Have Been Killed and 900 Wounded.

LONDON, Feb. 3.—Advices from Natal say the Boer losses in last week's fighting were 1,100 killed and 900 wounded, among the former being five field cornets. A dispatch from Ladysmith, undated, by Spearman's camp, Feb. 2, says: "Native desert-

ers report the following field cornets killed in last week's fighting: Lombard, of Waterburg; Groblair, of Bremersdorp; Opperman, of Pretoria; Daniel Erasmus, of Maserburg, and one Free State cornet. The British artillery broke seven Boer guns. The Boer casualties were approximately 1,000, though this information is not confirmed officially."

A dispatch from Sterk's spruit, dated Jan. 29, says: "Commandant Olivier, of the Orange Free State, in a speech to the Boers at Lady Grey, said his men were almost surrounded at Stormberg, and unless recruits were forthcoming he would be compelled to abandon the position. It is admitted that in the recent fight at Ladysmith the Boers lost 1,100 killed and 900 wounded. New York colonists who fought at Stormberg have gone back to their farms and have refused to return to active service, though threatened with death. Among them are some burghers who originally invited the Free Staters to invade Cape Colony."

The War Office is silent as regards General Buller, but there is every reason to believe he is continuing his move on Ladysmith. Those who are in a position to know say he has crossed the Tugela river and was engaged yesterday. The message from Ladysmith Thursday saying the Boer forces were leaving again and that the besieging force was considerably diminished, tends to confirm this.

The Morning Leader believes that General Buller has begun a movement toward Ladysmith. It says: "General Buller probably engaged the Boers soon after noon yesterday (Friday), if all his artillery and munitions had come up. In any case, his orders were definite for an advance at the latest this morning. There is no reason to suppose that the direction is that of Dundonald's march toward Hanger's Post, close to Bethany, although some cavalry and horse artillery may go by that way, so as to operate on, or perhaps, beyond, the Acton Homes road. We are inclined to believe General Buller means to pour out of existence any Boers or any works lying on the river near the junction of the little Tugela. If he succeeds in establishing himself there on the northern bank, he will virtually have turned the Boer positions at Onderbroek and Groblers' kloof, overlooking Colenso. This would mean the splitting of the Boer forces on the south of Ladysmith. Probably General White would be able to help in the effort by engaging with energy the remaining bodies of the enemy."

There is no actual news to support the above statement, but several of the London papers profess to believe that General Buller is pushing toward Ladysmith. Warren's troops on Wednesday were still resting south of the Tugela while General Lyttleton's brigade held its position on the north bank. General Joubert has gone to the Boer camp on the upper Tugela, an apparent indication that he expects another attack on his right.

The Boers are exhibiting considerable anxiety in regard to the movement of the British flying column, which started through Zululand in the direction of Vryheid about the time that General Buller began his move toward Springfield. Boer reinforcements from about Ladysmith have been hurried back to protect their lines of communication northward.

General Charles Tucker, who came from India to command the Seventh division, has gone up to Modder river. This seems to indicate the troops of that division, which are now arriving at the Cape will, as well as those of the Sixth division, under Kelly-Kenny, be utilized along the border of the Free State and take part in the prospective invasion.

Field Marshal Lord Roberts has notified the War Office that forty Highlanders who were previously reported killed at Magerfontein, are prisoners at Pretoria.

Major Bathurst, who was wounded at the battle at Colenso, has arrived at Southampton on board the Servia. He says there are 20,000 Boers at the Tugela river, but that General Buller can get through if he is prepared to sacrifice 5,000 or 6,000 men.

OFFICIAL REPORTS.

Gen. White, Buller and Methuen on Their October Battles.

(Copyright, 1900, by the Associated Press.) LONDON, Jan. 27.—The official dispatches forwarded by General Buller, published by the War Office to-day and summarized by cable, clear up many moot points and form an excellent record of the campaign up to the beginning of the month of February. The official report of the campaign, written by Sir George White, is as follows: "Turning now to affairs at Dundee, which I have already described up to the evening of Oct. 29. On the morning of Oct. 21 it was ascertained that the enemy had cleared off from the east of that place, but very large bodies were reported to be advancing from the north and northwest. General Buller moved his camp on this day to a more defensible position to the south of the previous camp, but the enemy, bringing up heavy artillery to the shoulder of the Impati mountain, rendered the site untenable, and another move was made to a site still further south. On Oct. 22 General Buller decided to effect a junction with the troops at Ladysmith. A reconnaissance in force showed that the Genoece pass was very strongly held, and that to force it would entail heavy loss. The troops therefore moved off at 9 p. m. by the Helpmakoos road, reaching Both on the 23d and Waschbank spruit on Oct. 24, at 9:30 a. m. Knowing of General Buller's approach, I moved out this day to Rietfontein to cover his flank from attack, and there fought an action which will be described later. Meanwhile, General Buller, hearing my guns in action, halted his infantry at Waschbank spruit and moved west with his artillery and mounted troops, in hopes of being able to participate in the action. The distance, however, was found to be too great, and he reined his infantry at Waschbank spruit, halting there for the night. On the morning of Oct. 25 General Buller's forces marched to Sunday river, whence it reached Ladysmith on Oct. 25, being joined on the route by a force detached by me to meet it. The casualties at Dundee, after Oct. 20, were very slight, and none whatever was incurred on the march to Ladysmith, where the troops arrived fit and well."

"Reverting to my action at Rietfontein, on Oct. 24, I may mention in general terms that my object was not to drive the enemy out of any positions, but simply to prevent him crossing the Newcastle road from west to east, and so falling on General Buller's flank. This object was attained with entire success, the enemy suffering severely from our shrapnel fire, which was very successful in searching the hills on which he was posted."

"Lord Methuen's account of the battle of Belmont shows that he was forced into making a frontal attack. "Major General (CONTINUED ON FIFTH PAGE.)

CIVIL WAR IS POSSIBLE

Cool Heads Required to Avert a Serious Clash Between the Kentucky Factions

Governor Taylor Ordered by County Judge Moore to Surrender Alonzo Walker, Who Was Arrested by the Militia.

GIVEN 48 HOURS TO OBEY THE COURT

If Habeas Corpus Writ Is Not Recognized, Force, It Is Said, Will Be Used.

Sheriff Suter to Be Supplied with an Army to Take Possession of the Capitol Grounds—Injunction Against Removal of Legislature.

FRANKFORT, Ky., Feb. 3.—Civil and military authority have come face to face at last, and unless one or the other recede from the position they occupy to-night, there can be but one outcome, and that is civil war.

Governor Taylor must, within forty-eight hours, surrender to the Circuit Court of Franklin county the person of Alonzo Walker, now held in custody by him in the State executive building, or Sheriff Suter, of Franklin county, with a powerful posse at his back, will attempt his release by force, and it is hardly within the range of possibilities that the attempt can be made without bloodshed or loss of life.

If once blood is shed in armed conflict in the streets of Frankfort it is beyond the wisdom of any man to tell how far the flame of strife will spread.

Back in the mountain counties of Laurel, Knox, Whitely, Pike and Clay, are thousands of mountaineers who believe that Governor Taylor has suffered grievous wrongs at the hands of his political opponents, and who are ready to lay down their lives in his cause. In numerous other counties of the State are Democratic partisans apparently more than willing to shed their blood that the successor of William Goebel shall hold the chair to which they believe their dead leader was legally elected.

Governor Taylor this afternoon refused to acknowledge the existence or permit the service of a writ of habeas corpus issued by Judge Moore of the County Court. He thus tacitly suspends the writ of habeas corpus in the courts of Franklin county, something which, under the Constitution of the State of Kentucky, cannot be done legally except in cases of rebellion or invasion.

When Sheriff Suter returned his writ unserved to Judge Moore the latter announced that he would see that the writ was given power sufficient to enforce the mandate of his court. In so declaring he used the following words:

"No attempt will be made to enforce the writ until Monday. At that time another demand will be made for the body of Alonzo Walker and if it is refused a sufficient number of men will be given to Sheriff Suter, from Franklin county and from adjoining counties as well to enable him to take possession of the Capital grounds and carry out the purpose of the writ."

The Constitution of the State of Kentucky provides as follows:

"Section 15. No power to suspend laws shall be exercised unless by the General Assembly or its authority."

"Sec. 16. All persons shall be bailable by sufficient securities unless for capital offenses where the proof is evident or the presumption great, and the privilege of the writ of habeas corpus shall not be suspended unless when in case of rebellion or invasion the public safety may require it."

The Democratic leaders do not entirely indorse the attitude of Judge Moore, and while they assert that his stand is right and just, they do not consider it at the

present time advisable. It is possible that before the time set by Judge Moore for the service of the writ he may be induced to alter his attitude. Unless he does this or Governor Taylor acknowledges the service of the writ and recognizes the existence of State courts an armed conflict in the streets of the capital of Kentucky is certain.

WRIT NOT RECOGNIZED.

County Judge and Sheriff Defied by Governor Taylor.

FRANKFORT, Ky., Feb. 3.—Governor Taylor and Adjutant General Collier late this afternoon flatly refused to recognize a writ of habeas corpus issued by Judge Moore for the release of Alonzo Walker, a stenographer who was arrested and put into confinement yesterday after pinning a notice of a writ of injunction on the door of Governor Taylor's chambers in the executive building. Judge Moore said after Sheriff Suter had reported his inability to serve the writ of habeas corpus, that unless Governor Taylor recedes from his position, the sheriff would be instructed to enforce the order of the court, and would be given sufficient armed force to insure this result.

Shortly after 4 o'clock Mrs. Lizzie G. Walker, the wife of the imprisoned man, appeared before Judge Moore, of the County Court, and applied for a writ of habeas corpus for the release of Alonzo Walker, making affidavit that he had been deprived of his liberty without due process of law. Judge Moore at once directed that a writ of habeas corpus be issued against Governor Taylor and Adjutant General Collier demanding the release of Walker, and the writ was placed in the hands of Sheriff B. F. Suter, with directions to serve immediately. In company with Judge Andrew Scott and former Congressman J. K. Hendricks, Sheriff Suter started down St. Clair street toward the Capitol grounds to serve the writ. Crossing the tracks of the Chesapeake & Ohio Railroad he was met by Captain Walcutt, provost marshal of the State troops guarding the State buildings and together the two walked to the entrance of the Capitol grounds. Sheriff Suter explained the nature of his mission to Captain Walcutt, who at once went to the executive building to notify Governor Taylor and Adjutant General Collier and learn their wishes in regard to the matter. Sheriff Suter in the meantime stood without the gate, close to two sentries whose crossed bayonets formed a bar to his access.

In the meantime an immense crowd had gathered around the sheriff without the gate in apparent expectation of trouble. No one was allowed to enter the grounds, however, except a mail carrier with a sack full of letters, for whom the bayonets were uncrossed. When in a moment or two Captain Walcutt returned, he was also immediately surrounded by a number of the members of the State militia. Captain Walcutt stepped down on to the sidewalk in front of the sheriff and said:

"I'm afraid you can't come in, Mr. Sheriff. The captain was smiling as he read the writ."

"Well," said Sheriff Suter, "I have a writ of habeas corpus here for the body of Alonzo Walker, and I demand to be allowed to serve it."

Captain Walcutt hesitated a moment, but the smile never left his face. "I'm sorry, but you can't come in, sir," he finally said. "Is there anything else I can do for you?" Sheriff Suter looked at the burly form of the captain, then smiled slightly himself. "Well, I guess not," he replied. "But I demand admittance here."

Captain Walcutt, still smiling, shook his head. The representative of judicial authority regarded each other silently for a moment, then Sheriff Suter turned away and slowly walked back to the Capital Hotel, where he found Judge Moore and reported his inability to serve the writ. The writ was returned to Judge Moore bore on its back the following written indorsement by Sheriff Suter:

"The within writ is returned unexecuted, because I was prevented from executing same by military force. I went to the State House Square and demanded admittance of the officer in charge at the gates, but was refused admittance. I demanded to see Col. Roger Williams and sent Captain Walcutt to see him, but he refused to be seen, and I thereupon demanded the body of Alonzo Walker and he refused to deliver him."

"Sheriff of Franklin County."

When Judge Williams, one of the Democratic attorneys, hears that the writ of habeas corpus issued for Notary Walker